



U.S. CONSUMER PRODUCT SAFETY COMMISSION  
WASHINGTON, D.C. 20207

Record of Commission Action  
Commissioners Voting by Ballot \*

Commissioners Voting:      Chairman Ann Brown  
   Commissioner Mary Sheila Gall  
   Commissioner Thomas H. Moore

ITEM

All-Terrain Vehicles (ATVs): Issuance of Resolution Commending the Actions of Certain ATV Manufacturers/Distributors

DECISION

The Commission voted 2-0-1 to approve the Resolution proposed in the Federal Register of August 27, 1998, commending the actions that certain members of the ATV industry -- Yamaha Motor Corp., U.S.A., Kawasaki Motors Corp., U.S.A., American Suzuki Motor Corp., Polaris Industries Inc., and Arctic Cat Inc. -- have agreed to take to enhance consumer safety following the expiration of the 1988 Consent Decrees and, for Arctic Cat, the 1996 Agreement. Chairman Brown and Commissioner Moore voted to approve. Commissioner Gall abstained because of her previous vote to approve the proposed Resolution with specified changes that were not adopted. Commissioner Moore and Commissioner Gall each filed a statement concerning their respective votes, copies attached.

For the Commission:

A handwritten signature in cursive script, reading "Sadye E. Dunn".

Sadye E. Dunn  
Secretary

Attachments

\* Ballot decision date December 1, 1998

**STATEMENT OF COMMISSIONER THOMAS HILL MOORE**  
**ON RESOLUTION COMMENDING THE ACTIONS OF CERTAIN ATV**  
**MANUFACTURERS/DISTRIBUTERS**

While I have voted to approve the staff recommendation for the issuance of a Resolution commending the actions of certain ATV Manufacturers/Distributors, I remain dissatisfied with the results which the Consent Decree obtained and which this new ATV Action Plan is likely to obtain with regard to reducing deaths and injuries to children.

The handling of these machines is simply too erratic and they are too powerful to be used by any but the most mature, skilled and safety-conscious drivers. Unfortunately, we have no way to mandate that only those type of drivers be allowed to drive an ATV. If either the individual States or parents were more vigilant in exercising their powers over young drivers, we might be able to make more headway in preventing the accidents that kill and maim youngsters who drive machines that are beyond their capabilities. Failing that, the proposal by the Consumers Union that federal legislation be enacted to encourage the States to prohibit children from riding adult-sized ATVs and to promote safety measures for all ATV drivers may be the best course left open to us.

U.S. CONSUMER PRODUCT SAFETY COMMISSION  
OFFICE of the COMMISSIONER  
Washington, D.C.  
20207

STATEMENT OF COMMISSIONER MARY SHEILA GALL  
ON VOTE TO ISSUE A RESOLUTION  
COMMENDING THE ACTIONS OF CERTAIN ATV  
MANUFACTURERS/DISTRIBUTORS  
NOVEMBER 23, 1998

I abstained from the vote today. While I concur that the ATV Action Plan is commendable, I also believe that the Commission should recognize all of the companies for agreeing to undertake substantial safety activities following the expiration of the Consent Decree and agreements.